

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF TENNESSEE**  
**AT KNOXVILLE**

KELLY CAHILL, )  
Plaintiff, )  
v. ) No. 3-03-CV-257  
ROBERT WALKER, Gatlinburg Police ) SHIRLEY  
Department; )  
HARRY MONTGOMERY, Chief of )  
Gatlinburg Police Department; and the )  
CITY OF GATLINBURG, TENNESSEE, )  
Defendants. )

**ORDER OF VOLUNTARY DISMISSAL WITH PREJUDICE**

The parties in the above styled cause of action have jointly moved this Court for an Order of voluntary dismissal pursuant to Fed. R. Civ. P. 41.01. Accordingly, after review of the Motion submitted, it is therefore

ORDERED that the Complaint of the plaintiff is to be dismissed with prejudice. It is further ORDERED that all parties shall be responsible for their individual costs and own attorney fees.

ENTER this \_\_\_\_\_ day of February, 2007.

\_\_\_\_\_  
s/ C. Clifford Shirley, Jr.  
C. CLIFFORD SHIRLEY  
United States Magistrate Judge

APPROVED FOR ENTRY:

/s/John E. Eldridge, BPR No. 6667 w/permission by Robert H. Watson, Jr.

JOHN E. ELDRIDGE  
Attorney for Plaintiff Kelly Cahill  
ELDRIDGE & IRVINE, PLLC  
606 W. Main Street, Suite 350  
Post Office Box 84  
Knoxville, Tennessee 37901-0084  
(865) 523-7731

/s/L. Kirk Wyss, BPR No. 6086 w/permission by Robert H. Watson, Jr.

L. KIRK WYSS  
Attorney for Defendant Robert Walker  
P.O. Box 1778  
Morristown, Tennessee 37816  
(423) 581-3773

/s/Robert H. Watson, Jr., BPR No. 1702

ROBERT H. WATSON, JR.  
Attorney for Defendants, Harry Montgomery and  
City of Gatlinburg, Tennessee  
WATSON, ROACH, BATSON,  
ROWELL & LAUDERBACK, P.L.C.  
Attorneys at Law  
1500 Riverview Tower  
900 South Gay Street  
P.O. Box 131  
Knoxville, Tennessee 37901-0131  
(865) 637-1700

## **CERTIFICATE OF SERVICE**

I hereby certify that on Wednesday, February 21, 2007, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system:

John E. Eldridge  
ELDRIDGE, IRVINE & GAINES, PLLC  
606 W. Main Street, Suite 350  
P.O. Box 84  
Knoxville, Tennessee 37901-0084

L. Kirk Wyss  
Attorney for Defendant  
617 W. Main Street  
P.O. Box 1778  
Morristown, Tennessee 37816-1778

Dated this 21<sup>st</sup> day of February, 2007.

s/Robert H. Watson, Jr., BPR No 1702  
ROBERT H. WATSON, JR.  
Attorney for Defendants Harry Montgomery and  
City of Gatlinburg  
WATSON, ROACH, BATSON,  
ROWELL & LAUDERBACK, P.L.C.  
Attorneys at Law  
1500 Riverview Tower  
900 South Gay Street  
P.O. Box 131  
Knoxville, Tennessee 37901-0131  
(865) 637-1700